

## FREQUENTLY ASKED QUESTIONS

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### **PERMITTING:**

[Who gives you the authority to issue permits to me?](#)  
[Do I need a permit?](#)  
[When do I need a permit?](#)  
[What is the Accelerated Permit Program?](#)  
[Do I qualify for an accelerated permit?](#)  
[What forms do I need to fill out?](#)  
[How do I fill out this form?](#)  
[Do I need to send a check with my application?](#)  
[What form of payment do you accept?](#)  
[Do you accept credit cards?](#)  
[Do I pay in advance or can you send an invoice?](#)  
[How are permit application fees calculated?](#)  
[Can I pay you in installments?](#)  
[Where do I send my application?](#)  
[Can I fax my permit application?](#)  
[Can I send my application electronically?](#)  
[How do I know that the District received my application?](#)  
[How long does it take to get the permit?](#)  
[That long? What can I do to expedite it?](#)  
[If a piece of equipment or operation does not require a permit, is it still subject to other District regulations?](#)  
[Do I need to keep records for a piece of equipment or operation, which does not require a permit?](#)  
[I bought a business that had District permits. Do I need to submit a permit application?](#)  
[We just relocated to a new address. Can you transfer our air permit to this new location?](#)  
[I plan to shutdown equipment. Do I need to notify the District?](#)  
[I have a permitted source that no longer operates. Do I need to surrender my permit?](#)

### **OTHER:**

[What is the format of a District approved log? Where in the District web site can a copy of the log be obtained?](#)  
[How do I determine whether a solvent mixture \(water + solvent\) complies with the VOC limit \(0.42 lb/gal\) of Regulation 8-4 and/or 8-16?](#)  
[What are the acceptable ways to demonstrate that a school is greater than 1000 from my property?](#)  
[What do I do if I have a question that is not listed in this document?](#)

## PERMITTING:

### Who gives you the authority to issue permits to me?

The California Legislature created the Bay Area Air Quality Management District in 1955. We are authorized and established by Section 40200 (Chapter 4, Part 3 of Division 26) of the [Health and Safety Code](#). The District's jurisdiction encompasses all of seven counties - Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara and Napa, and portions of two others - southwestern Solano and southern Sonoma.

### Do I need a permit?

In general, any equipment or operation that emits pollutants into the atmosphere requires a Permit to Operate from the District unless it is excluded from District Regulations per [Regulation 1](#) or exempted from District permit requirements by a specific section of [Regulation 2 Rule 1](#). Any air pollution control equipment, associated with a source that requires a District permit, is also required to have a Permit to Operate from the District. Facilities may use the [Permit Exemption Guidance](#) to aid in determining whether a source is required to have a permit or is exempt from permit requirements. If a facility is unsure about whether or not a permit is required, it is advisable to submit a permit application package for the operation; and the District will make the final determination.

### When do I need a permit?

If a permit is required, you should secure an Authority to Construct or [Accelerated Permit to Operate](#) before placing, building or modifying equipment to avoid possible violation of District regulations and resulting penalties.

### What is the Accelerated Permit Program?

The [Accelerated Permit Program](#) allows equipment that meets specific elements to operate before receiving a Permit to operate from the District. This permit allows you to operate as soon as your application is submitted.

### Do I qualify for an accelerated permit?

If you are seeking to operate your equipment under the [Accelerated Permit Program](#), you must complete the section at the top of Form P101-B on Page 2. The applicant must check all the necessary boxes, sign and date the section. There are four (4) elements that need to be satisfied to for all equipment.

- Unless you have a [pre-certification](#) by the District, emissions for a single air pollutant must be less than 10 pounds per highest day. Any control equipment associated with the project does not count towards your calculation. The calculation is for uncontrolled emissions.
- Emissions from toxic compounds must not exceed the [levels](#) listed in Table 2-5-1 of [Regulation 2, Rule 5](#).
- The project must not trigger public notice requirements. This requirement is trigger if the project emits any compound listed in Table 2-1-136 of Regulation 2, Rule 1 and is within 1,000 feet from the nearest K-12 school.
- All fees are paid. The fees are located in District [Regulation 3](#).

### What forms do I need to fill out?

Every application for an authority to construct or a permit to operate must include applicable District forms and contain all of the information required for the APCO to make a decision on the application. Each of the [source-specific permit handbook chapters](#) has a listing of the District forms and additional information required for each of the sources in the various source categories.

### How do I fill out this form?

Use the [Data Form Guidance](#) to assist you.

**Do I need to send a check with my application?**

No, we can bill you for the permit fees that are required. An invoice will be sent, after we received your application and reviewed its contents for completeness. Please note that without the payment of permit fees, your application will not be complete and does not qualify for an “[Accelerated Permit](#)” until the fees are received (assuming all data forms and required information are provided).

**What form of payment do you accept?**

Do not send cash. If paying by check, make the check payable to Bay Area Air Quality Management District or BAAQMD. Write the Application and Invoice Numbers on the check, if known. If you received an invoice, please include the payment stub.

**Do you accept credit cards?**

Yes, we accept VISA and MasterCard. You may complete a [credit card form](#) and submit it with your application or submit it for payment of your invoice.

**Do I pay in advance or can you send an invoice?**

If you know the required permit fees, you may pay in advance with your application. Or, we can bill you for the permit fees that are required. An invoice will be sent, after we received your application and reviewed its contents for completeness. Please note that without the payment of permit fees, your application will not be complete and does not qualify for an “Accelerated Permit” until the fees are received (assuming all data forms and required information are provided).

**How are permit application fees calculated?**

Use this [Fee Calculation Guidance](#) to assist you.

**Can I pay you in installments?**

No.

**Where do I send my application?**

All new applications should be sent to:  
BAAQMD  
Engineering Division  
939 Ellis Street  
San Francisco, CA 94109  
Re: Permit Application

If you have dealt with a specific person from the District in the past, do **NOT** address correspondence to that person. Personnel or assignments periodically change. This will minimize your application being lost. Once your application is assigned to specific District staff, send subsequent responses directly to that contact.

**Can I fax my permit application?**

No.

**Can I send my application electronically?**

No.

**How do I know that the District received my application?**

Upon receipt, each application is given an application number and is assigned to District staff. Once staff enters this information into our computer databank, our system automatically mails out a form letter with your application number and District contact. If you have not received this letter in ten (10) business days, please call the Engineering Division at (415) 749-4990.

### **How long does it take to get the permit?**

Typically, the District must review and determine whether an application is complete within 15 working days of receipt of the application. The APCO may cancel an application if the applicant fails to furnish the requested information or pay all appropriate fees during the requested time frame. In general, the APCO notifies the applicant in writing of the approval or denial of their application within 35 working days of receipt of a completed application.

However, the deadlines are different for certain special permit types:

- ☐ Deposit Emission Reduction Credits;
- ☐ Major Facility Review (Title V);
- ☐ Prevention of Significant Deterioration (PSD);
- ☐ Projects within 1000 feet of a school boundary;
- ☐ Projects that require CEQA environmental review and documentation;
- ☐ Projects that trigger publication, and public comment requirements of [Regulation 2-2-405](#), [2-4-405](#), or [2-9-405](#).

In addition, the deadlines may be extended upon mutual consent of the applicant and the APCO.

### **That long? What can I do to expedite my permit?**

If you [qualify](#) you may apply for an [Accelerated Permit to Operate](#). Otherwise, we recommend that you submit your application and respond to our information requests and fee invoice as quickly as possible.

### **If a piece of equipment or operation does not require a permit, is it still subject to other District regulations?**

Unless your source is excluded from all District requirements, you may be required to follow other requirements. The District has many rules and regulations covering a wide range of industries and activities such as painting, cleaning with solvents, using stationary combustion equipment, and creating visible emissions. Being exempt from permit requirements does not exempt you from these other [regulations](#). Each of the [source-specific permit handbook chapters](#) has a listing of applicable regulations.

### **Do I need to keep records for a piece of equipment or operation, which does not require a permit?**

Yes, per Regulation 2-1-502, any person asserting a source to be exempt, upon request by the District shall provide substantial credible evidence proving that the source meets all requirements necessary to keep the exemption.

### **I bought a business that had District permits. Do I need to submit a permit application?**

If the previous owner had District permits, the District requires written communication from the previous owner of the change of ownership either by letter or a copy of the agreement to transfer District/Environmental permits. The permits must be in good standing (current and valid) to avoid having the new owner re-permit the equipment. If the previous owner let his/her District permits expire, then you would need to re-permit the equipment before you operate.

### **We just relocated to a new address. Can you transfer our air permit to this new location?**

No. All permits are site-specific. If you move to a new location, you must reapply for a new permit for that new location.

### **I plan to shutdown equipment. Do I need to notify the District?**

If you want the source removed from your permit, you must send the District written documentation for that change. Once the source is removed, you would need to re-permit the source if you choose to operate the source again.

### **I have a permitted source that no longer operates. Do I need to surrender my permit?**

No. As long as you continue to comply with all requirements (e.g. keeping of records, permit renewal fees) during non-operation, you may keep your permit. This allows you flexibility to avoid the permit application process should you choose to operate the equipment again. In addition, your permits can be transferred to a subsequent owner, if non-operation was due to selling of your business.

## OTHER:

### **What is the format of a District approved log? Where in the District web site can a copy of the log be obtained?**

A District-approved log can be of any format, which meets the recordkeeping requirements of the applicable permit conditions or regulations. We currently have no example of a “District-approved” log. If you are unsure whether your log would meet with District approval, please submit a copy of it to your District Air Quality Inspector for approval.

### **How do I determine whether a solvent mixture (water + solvent) complies with the VOC limit (0.42 lb/gal) of Regulation 8-4 and/or 8-16?**

An example calculation is provided below:

Assume the solution is made up of 5% by wt. Isopropanol (IPA). Therefore, 100 lbs of solution (mixture of IPA and DI water) will contain 5 lbs IPA and 95 lbs DI water. Assuming that the volumes stay constant when IPA and DI water are mixed (this is true at standard conditions), the volumes of the above liquids in the final mixture can be derived by dividing by their respective densities:

$(5 \text{ lbs IPA}) / (6.53 \text{ lbs IPA/gal IPA}) = 0.76 \text{ gal IPA}$ ; and

$(95 \text{ lbs H}_2\text{O}) / (8.34 \text{ lbs H}_2\text{O/gal H}_2\text{O}) = 11.39 \text{ gal H}_2\text{O}$

Total solvent mixture =  $0.76 + 11.39 = 12.15 \text{ gal solution}$

Therefore, the VOC content of the above mixture is equal to

$= (5 \text{ lbs IPA}) / (12.15 \text{ gal solution}) = 0.41 \text{ lbs VOC/gal}$

### **What are the acceptable ways to demonstrate that a school is greater than 1000 from my property?**

AB 3205 ([H&S Code Section, 42301.6 through 42301.9](#)) addresses sources of hazardous air pollutants near schools. It requires new or modified sources of hazardous air emissions located within 1000 feet of the outer boundary of a school to give public notice to the parents or guardians of children enrolled in any school located within one-quarter mile of the source and to each address within a 1000-foot radius.

As a result, any new or modified source located within 1000 feet of the outer boundary of a school and which results in the increase of any substance into the ambient air, which has been identified as a toxic air contaminant, triggers the public notice requirement of [Regulation 2-1-412](#). A school is defined as any public or private school of more than 12 children in kindergarten or any grades 1 to 12, excluding private schools in which education is primarily conducted in private homes. The California Air Resources Board (CARB) or the APCO identifies the toxic air contaminant or a hazardous air contaminant or it is from the list which is required to be prepared pursuant to subdivision (a) of Section 25532 or Section 44321 subsections (a) to (f) inclusive of the Health and Safety Code.

Applicants may use the following web sites to check the facility location and the location of the nearest schools: [MapQuest](#) and [GreatSchools.net](#).] Once one school is identified within 1000 feet, the search radius must be enlarged to 0.25 mile (1320 feet) to determine whether there are more schools within this new search radius.

### **What do I do if I have a question that is not listed in this document?**

District staff is available to help fill out forms and provide technical assistance. Your primary contact for submitted applications is your assigned District Engineering contact. For general questions, call the Engineering Division at (415) 749-4990. In addition, the Engineering Division has assigned several [technical contacts](#) to help answer your questions for specific subjects and industries.